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IBM Microelectronics  
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972 E  
Essex Junction, VT 05452

In re Application of :  
SUNAGA et al. :  
U.S. Application No. 10/595,742 :  
PCT No.: PCT/JP2004/016296 :  
Int. Filing Date: 04 November 2004 :  
Priority Date: 06 November 2003 :  
Attorney Docket No.: JP920030200US1 :  
For: SEMICONDUCTOR STORAGE DEVICE :  
AND BURST OPERATION METHOD :

DECISION ON PETITION  
(37 CFR 1.182)

This decision is issued in response to applicant's "Petition Under 37 CFR 1.182" filed 03 July 2008 to change the filing status of the above-identified application. The \$400 petition fee will be charged to deposit account no. 09-0456.

**BACKGROUND**

On 04 November 2004, applicants filed international application PCT/JP2004/016296. The application claimed a priority date of 06 November 2003, and it designated the United States. On 19 May 2005, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 08 May 2006. (06 May 2006 was a Saturday and 07 May 2006 was a Sunday.)

On 08 May 2006, applicants filed electronically a U.S. national stage application that included, among other materials, payment of the U.S. basic national fee; the submission was assigned U.S. application number 10/595,742.

The materials filed 08 May 2006 included: (1) Transmittal Letter to the United States Designated Office (DO/EO/US) Concerning a Submission that identified the application as a U.S. national stage of PCT/JP2004/006296; (2) a translation of the international application that identified the application as a national stage of PCT/JP2004/016296; and (3) a copy of the specification, claims, and drawings for PCT/JP2004/016296. The bibliographic data entered by applicants as part of the electronic filing identified the application as a U.S. national stage of PCT/JP2004/006296. Thus, applicants' 08 May 2006 filing included conflicting instruction that identified the

submission as a U.S. national stage of two different international applications: PCT/JP2004/016296 and PCT/JP2004/006296.

Based on USPTO processing procedures, the application file was initiated in the USPTO PALM system as a U.S. national of PCT/JP2004/006296, the international application number set forth in the bibliographic data (and Transmittal Letter) provided by applicant when filing the electronic application.

On 03 July 2008, applicants filed "Petition Under 37 CFR 1.182."

### DISCUSSION

As noted above, the bibliographical data provided by applicant incorrectly identified the international application to which the submission was directed. Correction of this error is required before the materials filed 08 May 2006 can be treated as having been directed to international application PCT/JP2004/016296, as necessary to avoid abandonment of the international application with respect to the United States.

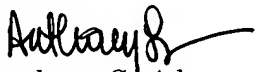
In the present petition filed 03 July 2008, applicants confirm that the listing of international application PCT/JP2004/006296 set forth in the bibliographical data provided by applicant was the result of a typographical error, and that the correct international application is PCT/JP2004/016296. It is noted that the correct international application number was listed on the translation of the international application that identified the application as a national stage of PCT/JP2004/016296. The Transmittal Letter filed 03 July 2008 is accompanied by payment of the required petition fee that properly identifies the application as the national stage of PCT/JP2004/016296. These materials satisfy the requirements for a grantable petition to correct the typographical error in the bibliographical data filed 08 May 2006 and to permit such materials to be treated as having been directed to international application PCT/JP2004/016296.

### CONCLUSION

Applicants' petition under 37 CFR 1.182 is GRANTED.

The materials filed 08 May 2006 have been assigned U.S. application number 10/595,742, and will be treated as the national stage of PCT/JP2004/016296.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision.

  
Anthony Smith  
Attorney-Advisor  
Office of PCT Legal Administration  
Tel.: 571-272-3298  
Facsimile: 571-273-0459